

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 27

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JIM FARQUHAR, KEN DORF,
BRANDT WEIBEZAHN, IGGONI FAJARDO
and
CHARLES CENTOFANTE

Appeal No. 2001-2250
Application 08/818,520

ORDER REMANDING TO EXAMINER

MAILED

FEB 06 2002

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

An Information Disclosure Statement (IDS) (Paper No. 23) was filed on January 11, 2001. On June 4, 2001, applicants filed a Petition under 37 CFR § 1.97(e)(1) (Paper No. 25) for consideration of the IDS (Paper No. 23). Additional Correspondence (Paper No. 26) was faxed to the office on July 13, 2001 concerning the IDS (Paper No. 23). There is no indication in the record that the Petition or the IDS was considered according to the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying applications of the decision of the

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Petition and the IDS is required. See Manual of Patent Examining Procedure (MPEP) § 609(c) (8th Ed., August 2001).

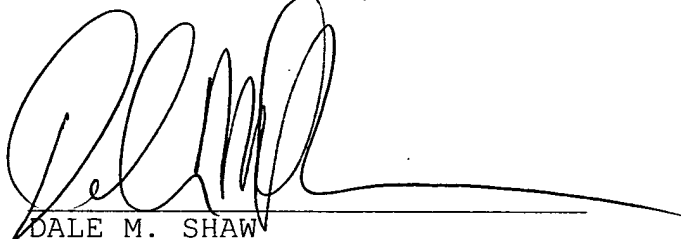
Accordingly, it is

ORDERED that the application is remanded to the examiner for resolution of the following issues:

- consideration of the Petition under 37 CFR § 1.97(e)(1) (Paper No. 25);
- consideration of the IDS (Paper No. 23);
- appropriate notification to applicants of the action taken; and
- for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

A large, stylized handwritten signature in black ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

DALE M. SHAW
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DMS:svt

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